SUF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 APR 30 AM
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA, Plaintiff,	)	Magistrate Case No. 08MJ01358
v.	)	COMPLAINT FOR VIOLATION OF:
Angelica Maria PINAL, Defendant(s)	)	Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii) Transportation of Illegal Aliens

The undersigned complainant, being duly sworn, states:

On or about **April 29, 2008,** within the Southern District of California, defendant **Angelica Maria PINAL** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Silvia ROSAS-Apolinar**, **Maria SANTIAGO-Morales**, and **Maria Pena ALVARADO-Cruz** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **30th** DAY OF **APRIL2008**

Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

SCF

CONTINUATION OF COMPLAINT:
Angelica Maria PINAL

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Silvia ROSAS-Apolinar**, **Maria SANTIAGO-Morales**, and **Maria Pena ALVARADO-Cruz** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On April 29, 2008, Border Patrol Agent G. Kizinkiewicz, and Border Patrol Agent E. Ferreira were conducting Border Patrol Operations at the U.S. Border Patrol Checkpoint located on Interstate 8 near Pine Valley, California. All warning signs, cones and lights were in place and fully operational.

At approximately 11:30 A.M., a tan Oldsmobile, eighty-eight, bearing California license plates, approached the primary inspection area. As the vehicle approached Agent Kizinkiewicz, noticed that the driver later identified as the defendant **Angelica Maria PINAL,** was sitting in a very rigid position. Agent Kizinkiewicz questioned the driver as to her citizenship. The driver stated "El Cajon." Agent Kizinkiewicz also noticed that the rear area of the vehicle heavily seemed to be carrying excess weight in the trunk. Agent Kizinkiewicz asked the driver if she would mind if he looked in the trunk of the vehicle. PINAL stated that it would not be a problem. Agent Kizinkiewicz directed the driver to park in the secondary inspection. The driver followed Agent Kizinkiewicz's instructions and stopped in the secondary area.

Agent Ferreira followed the vehicle into the secondary inspection area. As he approached the vehicle, the driver popped the trunk open without getting out. Agent Ferreira opened the trunk and found four subjects. Agent Ferreira questioned all four subjects as to their immigration status. All four admitted to being citizens of Mexico illegally present in the United States. At five including the defendant was placed under arrest.

MATERIAL WITNESSES STATEMENTS:

Material witnesses **Silvia ROSAS-Apolinar**, **Maria SANTIAGO-Morales**, and **Maria Pena ALVARADO-Cruz** agree in summary that they are citizens and nationals of Mexico, illegally present in the United States. The material witnesses stated that they made arrangement or arrangements were for them, to be smuggled in to the United States for amounts ranging between $1500.00 to $2000.00 US. Material witness ROSAS identifies the defendant as the driver of the load vehicle from a photographic lineup.